

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 13-15 under 35 U.S.C. § 112, first paragraph, for lack of written description; rejected claims 1, 7, and 13 under 35 U.S.C. § 102(e) as being anticipated by Japanese Patent Application Publication No. 2002-175224 by Shirakawa Yoichi ("Shirakawa")<sup>2</sup>; and rejected claims 2-6, 8-12, and 14-21 under 35 U.S.C. § 103(a) as being unpatentable over Shirakawa in view of Japanese Patent Application Publication No. 2002-007233 by Hoshino Hiroichi ("Hoshino").

Applicant amends claims 1-3, 5-9, and 11-21 and cancels claims 4 and 10. Claims 1-3, 5-9, and 11-21 are pending in the application.

The claim amendments render the rejection of claims 13-15 under 35 U.S.C. § 112 moot, and Applicant respectfully requests the withdrawal of this rejection.

Applicant respectfully traverses the rejection of claims 1, 7, and 13 under 35 U.S.C. § 102 as being anticipated Shirakawa. Shirakawa fails to anticipate claims 1, 7, and 13, as amended, because Shirakawa does not disclose or suggest each and every element of claims 1, 7, and 13.

For example, amended independent claim 1 recites a system including, among other features:

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

<sup>2</sup> Applicant notes that 35 U.S.C. § 102(e) is an improper ground of rejection, because Shirakawa is a foreign patent application not filed under 35 U.S.C. § 351(a) (i.e., a PCT application).

local environment management means for causing the means for connecting/disconnecting to disconnect the first home network from the external network, in response to a request for content received from the device, during at least one of transferring the content to the device and issuing a license for the content to the device.

Shirakawa fails to disclose or suggest at least the claimed local environment means.

Shirakawa discloses a system that prevents illicit access to an internal network from an external network. Shirakawa, abstract. Specifically, when a computer on the external network attempts to access a computer on the internal network, a controller opens a switch, thereby disconnecting the external network from the internal network and preventing the access. Shirakawa, ¶¶25 and 35.

In contrast, claim 1 recites “[disconnecting] the first home network from the external network . . . during at least one of transferring the content to the device and issuing a license for the content to the device.” That is, Shirakawa disconnects the internal network from the external network when outside access is attempted, rather than “during at least one of transferring the content to the device [on the home network] and issuing a license for the content to the device,” as recited by claim 1. Further, Shirakawa’s disconnection is in response to attempts from the external network to access the internal network, rather than “in response to a request for content received from the device [on the home network],” as recited by claim 1.

Accordingly, Shirakawa cannot anticipate claim 1. Amended independent claims 7 and 13, although of different scope, are allowable over Shirakawa for at least the same reasons as claim 1.

Applicant respectfully traverses the rejection of claims 2-6, 8-12, and 14-21 under 35 U.S.C. § 103(a) as being unpatentable over Shirakawa in view Hoshino. Shirakawa and Hoshino would not have rendered the subject matter of amended claims 2-6, 8-12, and 14-21 obvious.

Claims 2-6, 8-12, 14, and 15 depend from one of claims 1, 7, and 13. As discussed above in connection with claims 1, 7, and 13, Shirakawa fails to disclose or suggest “[disconnecting] the first home network from the external network, in response to a request for content received from the device, during at least one of transferring the content to the device and issuing a license for the content to the device.”

Hoshino fails to remedy the deficiencies of Shirakawa. Hoshino discloses a system that prevents unauthorized access of an internal network from an external network. Hoshino, abstract and ¶ 10. In Hoshino, requests by the external network to access the internal network are received and buffered, and data is transferred from the internal network to the external network, when a switch between the networks is in a first position; and requests by the internal network to access the external network are received, and data is transmitted from the external network to the internal network when the switch is in a second position. Hoshino, ¶¶ 20 and 22; and Figs. 2 and 3.

Hoshino, however, also fails to disclose or suggest “[disconnecting] the first home network from the external network, in response to a request for content received from the device [on the home network], during at least one of transferring the content to the device and issuing a license for the content to the device.” Thus, claims 2-6, 8-12, 14, and 15 are allowable over Shirakawa and Hoshino at least due to their dependence from independent claims 1, 7, and 13.

Amended independent claims 16 and 21, while of different scope, recite features similar to those discussed above in connection with claims 1, 7, and 13. Thus, claims 16 and 21 are allowable over Shirakawa and Hoshino for the same reasons as independent claims 1, 7, and 13. In addition, claims 17-19 are allowable over Shirakawa and Hoshino at least due to their dependence from claim 16.

In view of the foregoing, Applicant respectfully requests reconsideration of the application and the withdrawal of the rejections. Pending claims 1-3, 5-9, and 11-21 are in condition for allowance, and Applicant requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: 

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